

REMARKS

Reconsideration of this application, and the rejection of claims 1, 3, 5-8, 10 and 12-14 are respectfully requested. Applicants have attempted to address every objection and ground for rejection in the Office Action dated March 24, 2005 (Paper No. 032005). The claims have been amended to more clearly describe the present invention.

As a preliminary matter, the Examiner asserts that the Declaration is defective because the Declaration was not signed by the inventors. However, on December 3, 2003, Applicants filed an executed oath to complete the filing requirements. A return postcard was dated by the Patent Office on December 8, 2003. A copy of the filing is submitted herewith. Applicants submit that the executed Declaration complies with 37 C.F.R. 1.67(a) and is not defective for lack of signatures. Applicants request that the Examiner acknowledge the sufficiency of the Declaration.

Applicant appreciates the acknowledgement of allowable subject matter in claims 2, 4, 9 and 11 if rewritten in independent form including all of the features of the base claim and any intervening claims. In new claim 15, Applicant added the features of allowable claim 2 to claim 1. For this reason, Applicant submits that claim 15 is allowable over the references of record.

Claims 1, 5, 8 and 12 stand rejected under 35 USC §102(b) as being anticipated by US 3,463,994 to Spohr. Spohr discloses a conventional charging stand that selectively encloses and exposes toothbrushes. The charging stand has a base 110, and a cover 22 that defines an interior space where the toothbrushes are housed. The cover 22 has a first position which encloses the appliances with the base 110, and a

second position which exposes the appliances on the base. However, the base 110 does not have a position where the cover 22 supports the base in the position that exposes the appliances. In fact, there is no position in Spohr where the cover 22 supports the base 110.

In contrast, amended claims 1 and 8 recite, among other things, a base and a cover that supports the base in a position that exposes the appliance, while the cover remains attached to the base. The present charging stand has a base for supporting the appliance, and a cover to enclose the appliance with the base. The cover remains attached to the base both in an enclosed position (where the appliance is enclosed), and an exposed position (where the appliance is exposed), which prevents the cover from separating from the base and getting lost. In the exposed position, the base of the charging stand is supported by the cover. In view of the lack of any disclosure or suggestion of a base that is supported by a cover, as now recited in the independent claims, the rejection based on Spohr is respectfully traversed.

Claims 3, 6, 7, 10, 13 and 14 stand rejected under 35 USC §103(a) as being unpatentable over Spohr. For the reasons asserted above with respect to the §102(b) rejection, Applicants submit that the rejection has been traversed since none of the art of record discloses a base that is supported by a cover in the exposed position, as required by the amended claims.

Applicants submit that in view of the above-identified amendments and remarks, the claims in their present form are patentably distinct over the art of record.

Allowance of the rejected claims is respectfully requested. Should the Examiner discover there are remaining issues which may be resolved by a telephone interview, he is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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